

PROPOSITION 64

Date: July 15, 2004

Limits on Private Enforcement of
Unfair Business Competition Laws.
Initiative Statute.

Proponents: Allan Zaremberg and John H. Sullivan

BALLOT TITLE AND SUMMARY

**LIMITS ON PRIVATE ENFORCEMENT OF UNFAIR BUSINESS
COMPETITION LAWS. INITIATIVE STATUTE.**

- Limits individual's right to sue by allowing private enforcement of unfair business competition laws only if that individual was actually injured by, and suffered financial/property loss because of, an unfair business practice.
- Requires private representative claims to comply with procedural requirements applicable to class action lawsuits.
- Authorizes only the California Attorney General or local government prosecutors to sue on behalf of general public to enforce unfair business competition laws.
- Limits use of monetary penalties recovered by Attorney General or local government prosecutors to enforcement of consumer protection laws.

**Summary of Legislative Analyst's
Estimate of Net State and Local Government Fiscal Impact:**

- Unknown state costs or savings depending on whether the measure significantly increases or decreases court workload related to unfair competition lawsuits and the extent to which funds diverted by this measure are replaced.
- Unknown potential costs to local governments depending on the extent to which funds diverted by this measure are replaced.

OFFICIAL TITLE AND SUMMARY
PREPARED BY THE ATTORNEY GENERAL

**SUBJECT TO COURT
ORDERED CHANGES**